

STATE OF MICHIGAN
IN THE SUPREME COURT

LACY HARTER and MIKE McCLELLAND,
As Co-Personal Representatives of the Estate of
KEGAN McCLELLAND, Deceased and LACY
HARTER, Individually and MIKE McCLELLAND,
Individually,

Plaintiffs-Appellees,

vs.

GRAND AERIE FRATERNAL ORDER OF EAGLES,

Defendant-Appellant,

and

HOWELL AERIE # 3607 FRATERNAL ORDER
OF EAGLES,

Defendant-Appellee,

and

MICHIGAN STATE AERIE FRATERNAL ORDER
OF EAGLES, HARRIS SEPTIC CLEANING AND
ALWAYS CLEAN PORTABLE TOILETS, INC.,
CONCRETE PRODUCTS, INC., Individually,

Defendants, Not Participating.

Supreme Court Docket
No: 126255

Court of Appeals Docket
No: 244689

Lower Court No:
00-17892-NO

FILED

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SUPPLEMENT TO MOTION FOR RECUSAL
AND FOR EVIDENTIARY HEARING

EXHIBITS

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SUPPLEMENT TO MOTION FOR RECUSAL
AND FOR EVIDENTIARY HEARING

A Motion and Brief for Recusal and For Evidentiary Hearing, have previously been filed. Among the concerns raised are the animus expressed toward Geoffrey Fieger by Justice Corrigan, and the need for an evidentiary hearing to assure that the Michigan public's confidence in the integrity of the judiciary is not compromised. This Supplement will briefly address those concerns in inverse order.

In the case of *Advocacy Organization for Patients & Providers vs. Auto Club Insurance Association, et al*, Supreme Court Docket No: 124639, (Ex. A), Justices Weaver and Corrigan expressed their views about the propriety of concealing the reasons why Justices are recused or are not recused. The remaining five Justices did not join the discussion. For the reasons expressed in the *Advocacy Organization* Opinion by Justice Weaver, Plaintiff urges that the Court, as a whole, adopt the procedures to provide Michigan citizens with open Government and with an explanation of why Justices do or do not participate in cases involving significant

campaign contributors or participants against whom they have announced personal hatred or attack.

Additional indicia of bias harbored toward Mr. Fieger by Justice Corrigan have emerged and are detailed in the Affidavit of Jack Beam, Esq. (Ex. B). Seemingly, Justice Corrigan has taken it upon herself to disparage Mr. Fieger to an Ohio Judge (Ex. B, ¶¶ 10-12), persuading that Judge to withhold costs and attorney fees from Mr. Fieger in an Ohio case (*Id.*, ¶¶ 10, 16). That Justice Corrigan has such deep-seated antagonism to Mr. Fieger that she would gratuitously intervene in Ohio litigation, or attempt to persuade an Ohio Judge to act adversely to Mr. Fieger, underscores the impropriety, or at least appearance of impropriety, that would arise from her participation in this appeal.

In sum, for the reasons expressed in Plaintiffs-Appellees' Motion for Recusal and For Evidentiary Hearing initially, and in this Supplement, the Court should conduct an evidentiary hearing and Justices Corrigan, Markman, Taylor and Young should recuse themselves.

Respectfully submitted,

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Dated: March 16, 2005